

REMARKS

Applicants have carefully considered the Office Action dated September 3, 2002, and the references cited therein. Applicants present this Amendment in sincere effort to place the application in condition for allowance. Accordingly, reconsideration is respectfully requested.

By this amendment new Claims 21-23 are added, therefore, Claims 1-23 are presented for consideration.

Applicants have filed herewith formal drawings to replace the informal drawings filed with the application. Entry of these drawings is respectfully requested. Applicants have also amended the Brief Description of the Drawings in the Specification in order to correct a typographical error.

In the Office Action, the Examiner has indicated that Claims 10-20 are allowed. In addition, Claims 4 and 8 have been deemed to contain allowable subject matter and would be allowed if rewritten in independent form including all limitations of the base claim and any intervening claims. Applicants gratefully acknowledge this indication of allowable subject matter. In response to this indication of allowable subject matter, Applicants have added new Claim 21 which puts Claim 4 in independent form and includes the features of Claims 1, 3 and 4 as originally filed. Applicants have also added new Claim 22 which puts Claim 8 in independent form and includes the limitations of Claims 1 and 8 as originally filed.

Accordingly, Applicants respectfully submit that new Claims 21 and 22 define over the references of record and are allowable.

Claims 1-3, 5, 6 and 9 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,214,126 to Roos ("Roos").

Roos discloses an outlet box support including a pair of bar members 12 and 14 which are slidably engagable with each other to adjust the length of the support. An outlet box may be secured to the overlapping bar members by way of a clamping clip 44 as shown in Figure 6. In Roos, the clamping members do not have the same cross-sectional profiles since the inner clamp member 14 is smaller in dimension than the outer member 12. See Roos Col. 3, lines 21-22. As shown in Figure 1, bar member 14 is inserted within bar member 12. No portion of bar member 12 is inserted within bar member 14.

Applicants have amended Claim 1 in order to more clearly define the invention. Claim 1 as amended is directed to a hangar bar assembly having a first channel member slidably engagable with a second channel member forming a longitudinally adjustable support bar. Claim 1 now defines the first and second channels each having a channel interior and a portion of the first channel extending into the second channel interior and a portion of the second channel extending to the first channel interior when the first and second channels are engaged. This interconnection between the two channels is not taught or disclosed by Roos which only teaches the insertion of a smaller interior member 14 within

the larger outer bar member 12. Claim 2 has been amended to reflect the amendment to Claim 1.

Accordingly, Applicants respectfully submits that Claim 1 patentably distinguishes over Roos and the references of record.

Applicants further submit new Claim 23 for consideration. Claim 23 is directed to a hangar bar assembly having first and second that having a first channel member being longitudinally slidably engagable with the second channel member forming a longitudinally adjustable support bar. The first and second channel members are defined as having the same cross-sectional profile. By employing first and second channel members which have the same cross-sectional, the present invention permits both channel members to be formed from the same shaped material. Accordingly, the need to manufacture two separate pieces is not required. Only bar material having a particular cross-sectional profile need be made and this material can be parted into the individual channel members needed to complete the hangar bar assembly.

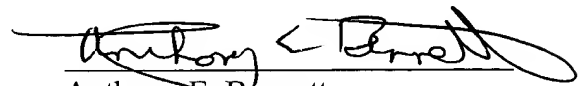
In contrast, the outlet box support of Roos requires two bar members which have different cross-sectional profiles. As shown in Figure 1, bar member 14 is smaller than bar member 12 and is slidably engagable therein. Without this dimensional difference in the cross-sectional profiles, the hangar bar could not be assembled. Roos column 3, lines 21-22 specifically recognizes the cross-sectional size differences between the bar members. The

different bar members would have to be formed separately from each other as distinct parts. The efficiencies obtained in the present invention through use of the bar member having the same cross-sectional profile are not present in Roos. Accordingly, Applicants respectfully submit that new Claim 23 patentably distinguishes over Roos and the other references of record.

As a result of the remarks and amendments set forth above, favorable consideration of amended Claims 1 and 2, new Claims 21-23 and allowance of the application with Claims 1-23 are respectfully solicited.

If the Examiner believes that a telephone interview would be helpful in moving the case toward allowance, she is respectfully invited to contact Applicants attorney at the number set forth below.

Respectfully submitted,



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VERSION OF THE AMENDMENT WITH MARKINGS TO SHOW CHANGES
IN THE SPECIFICATION

Please delete the paragraph beginning on line 17 and insert therefore as follows:

Figure 4 is a cross-sectional view of the assembly taken along line [III-III] IV-IV of Figure 1.

IN THE CLAIMS:

1. (Amended) A hanger bar assembly for supporting an outlet box between spaced apart support elements comprising:

a first channel member being longitudinally slidably engagable with a second channel member forming a longitudinally adjustable support bar, said first and second channels each having a channel interior, and a portion of the first channel extends into the second channel interior and a portion of the second channel extends into the first channel interior when the first and second channels are engaged,

said first channel member having a plurality of longitudinally extending first grooves and a plurality of longitudinally extending first rails, said second channel member having a plurality of longitudinally extending second rails and a plurality of longitudinally extending second grooves, the first rails being slidably received in said second grooves and said second rails being slidably received in said first grooves such that rotational movement between said first and second channel members is resisted;

a clamping device for urging said first and second channel members into respective forced engagement thereby restricting movement between said first and second channel members; and

a securement device attached to said support bar for securing said support bar to the spaced support elements.

2. (Amended) The hanger bar assembly as defined in Claim 1, wherein said first and said second channel members have a generally U-shaped cross-sectional profile [having a channel interior], and said second channel member is inverted with respect to the first channel member.

Please add new Claims 21-23 as follows:

-- 21. A hanger bar assembly for supporting an outlet box between spaced apart support elements comprising:

a first channel member being longitudinally slidably engagable with a second channel member forming a longitudinally adjustable support bar, said first channel member having a plurality of longitudinally extending first grooves and a plurality of longitudinally extending first rails, said second channel member having a plurality of longitudinally extending second rails and a plurality of longitudinally extending second grooves, the first rails being slidably received in said second grooves and said second rails being slidably received in said first grooves such that rotational movement between said first and second channel members is resisted;

a clamping device for urging said first and second channel members into respective forced engagement thereby restricting movement between said first and second channel members; and

a securement device attached to said support bar for securing said support bar to the spaced support elements the securement device including a pair of end plates secured to ends of said support bar, and said first and second channel members include apertures formed therein to receive fastening hardware to secure said end plates to said support bar.

22. A hanger bar assembly for supporting an outlet box between spaced apart support elements comprising:

a first channel member being longitudinally slidably engagable with a second channel member forming a longitudinally adjustable support bar, said first channel member having a plurality of longitudinally extending first grooves and a plurality of longitudinally extending first rails, said second channel member having a plurality of longitudinally extending second rails and a plurality of longitudinally extending second grooves, the first rails being slidably received in said second grooves and said second rails being slidably received in said first grooves such that rotational movement between said first and second channel members is resisted;

said first and second channel members including a plurality of longitudinally extending shims extending therefrom;

a clamping device for urging said first and second channel members into respective forced engagement thereby restricting movement between said first and second channel members; and

a securement device attached to said support bar for securing said support bar to the spaced support elements.

23. A hanger bar assembly for supporting an outlet box between spaced apart support elements comprising:

a first channel member being longitudinally slidingly engagable with a second channel member forming a longitudinally adjustable support bar, said first channel and said second channel having the same cross-sectional profiles, said first channel member having a plurality of longitudinally extending first grooves and a plurality of longitudinally extending first rails, said second channel member having a plurality of longitudinally extending second rails and a plurality of longitudinally extending second grooves, the first rails being slidingly received in said second grooves and said second rails being slidingly received in said first grooves such that rotational movement between said first and second channel members is resisted;

a clamping device for urging said first and second channel members into respective forced engagement thereby restricting movement between said first and second channel members; and

a securement device attached to said support bar for securing said support bar to the spaced support elements. --